

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

DATASCI, LLC

*

Plaintiff

*

vs.

*

CIVIL ACTION NO. MJG-09-1611

MEDIDATA SOLUTIONS, INC.

*

Defendant

*

*

*

*

*

*

*

*

*

*

ORDER RE: EXPERT REVIEW OF SOURCE CODE

The Court has before it Defendant/Counter-Plaintiff Medidata Solutions Inc.'s Objections to Production of Customer-Specific Study Documents, Motion for Protective Order and Memorandum in Support, and Request for Order Setting Deadlines [Document 201] and the materials submitted relating thereto. The Court has held a hearing, heard testimony and had the benefit of the arguments of counsel.

For reasons stated on the record of the hearing held on March 22, 2011:

1. Defendant/Counter-Plaintiff Medidata Solutions Inc.'s Objections to Production of Customer-Specific Study Documents, Motion for Protective Order and Memorandum in Support, and Request for Order Setting Deadlines [Document 201] is GRANTED IN PART AND DENIED IN PART.
2. Medidata Solutions Inc. shall provide a replacement disk to Dr. Day that contains the identified relevant ZETA study documents¹ without confidential patient data. In

¹ As identified in Dr. Day's January 12, 2011 Letter to the Court.

exchange, Dr. Day shall return the original disk provided.

3. Dr. Day, with the cooperation and assistance of Dr. Rubin, shall review the Rave® source code as expeditiously as feasible.
 - a. The source code for Rave® versions 5.5.1, 5.6.2, and 5.6.4 shall be available and sample data may be used for demonstration purposes.
 - b. Drs. Day and Rubin shall use their best professional judgment and make their best efforts to facilitate Dr. Day's review.
 - c. Drs. Day and Rubin shall provide a joint report, or separate reports, succinctly stating what has been accomplished and what, if anything, remains to be done to conclude the source code review.
4. Drs. Day and Rubin remain subject to outstanding protective Orders relating to information provided to them.
5. Medidata Solutions Inc.'s request for an order setting deadlines is GRANTED and deadlines shall be set by future Order after conclusion of the source code review.

SO ORDERED, on Wednesday, March 30, 2011.

_____/s/_____
Marvin J. Garbis
United States District Judge